



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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MINUTES December 10, 2001

Staff Performance Review

Discussion of proposed amendments to Subdivision Rules and Regulations

Request for additional extension of time to complete Maplewood Subdivision, Acton Street, Map 17, Parcel 17A (Request of Robert Koning)

Discussion of strategy with regard to pending litigation, Valchuis et al. v. Planning Board, Berry Corner Lane, Map 7, Parcel 29 (Executive Session)

Review of roadway improvements and guardrail and retaining wall design specifications per Great Brook Estates Definitive Subdivision Plan, 195 Rutland Street, Map 26, Lot 18D

Review of Town's intentions to prepare a Community Development Plan with the funding provided by Executive Order 418

Vice Chair Michael Epstein called the meeting to order at 7:30 p.m. in the Clark Room at Town Hall. Board Members Louise Hara (Clerk), Dan Holzman, Tom Lane (Treasurer), Kate Reid and Phyllis Zinicola were present. Chairman Abend was not present this evening. Planning Administrator George Mansfield and Administrative Assistant Anja Stam were present and *Mosquito* reporter Susan Yanofsky was present for the discussion concerning the guardrails at Great Brook Estates.

Zinicola moved and Hara seconded a motion to accept the minutes of November 26, 2001 as drafted. The motion carried 6-0.

The bills were circulated for signature and Mansfield noted that he was still waiting for itemization of the bill from Earth Tech for Dale MacKinnon's work on the Maplewood Subdivision. The Board did not authorize this bill for payment. Stam informed the Board that her budget summary agrees with the most recent budget printout provided by the Town Accountant.

Staff Performance Review

Mansfield explained that he will prepare a self-assessment for the Town Administrator, who will in turn prepare an assessment for him and then meet with him to discuss his performance. Mansfield asked if a Board member could be present for the evaluation discussion with the Town Administrator. Epstein agreed to do so, but would defer to the Chair. Mansfield explained further that he and the Administrative Assistant would prepare self-assessments for the Board, and that members of the Board or a representative should evaluate them. Mansfield would also evaluate the Administrative Assistant. He informed the Board that evaluations are due to the Town Administrator by January 14, 2002.

Epstein asked Board members to complete all relevant portions of the evaluation forms for both the PA and AA by December 24, 2001. Mansfield agreed to send the forms to all members via e-mail. Epstein suggested that the completed forms be sent to the Chair for compilation and review. The PA was asked to confirm this process with Abend. The staff was also asked to review goals from the evaluations conducted two-years ago and to forward these to the Board along with self-evaluation forms and possible goals for the upcoming year.

Lane explained that FinCom has provided a 2.5% guideline for FY03 budget increases. He noted that this does not include a recommendation for salary increases. He spoke with the Town Administrator who said that the Board of Selectmen has not voted on salary increases for FY03, but the Personnel Board is recommending a 3.5% salary increase. Lane offered to prepare several budget proposals for the Board's review at the next meeting.

Discussion of proposed amendments to Subdivision Rules and Regulations

Epstein said that he would prepare another draft of the Subdivision Rules and Regulations incorporating the minor revisions agreed to by the Board. He suggested that the Board could then focus on the more complex issues at the next meeting. Board members agreed that they would like to discuss maintenance, drainage, guardrails and organic paving materials with the DPW superintendent. Epstein asked Board members to forward possible questions for Gary Davis to the PA. Mansfield was asked to present these questions to Davis and to ask him to attend the January 14th meeting. Alternatively, members of the Board could arrange to meet with Davis and the PA during the day.

Request for additional extension of time to complete Maplewood Subdivision, Acton Street, Map 17, Parcel 17A (Request of Robert Koning)

Janet Sacks of 337 Acton Street was present.

Reid moved to grant an extension of time for the completion of the Maplewood Subdivision from December 31, 2001 to June 30, 2002. Holzman seconded the motion and it carried 6-0.

Sacks thought that the pending litigation between her and the applicant might not be resolved for quite some time and asked if extensions for completion could be granted indefinitely. Mansfield explained that the request for an extension must come from the applicant, and could indeed be extended for a considerable period of time. He cited Tall Pines as an example. After numerous extensions, that subdivision was completed in approximately twelve years.

Tree cutting at 964 Bedford Road

The Board received several letters from abutters concerned about the removal of trees from the right-of-way along River Road near its intersection with Bedford Road. Holzman asked if the PB should have reviewed this given that River Road is a scenic road. Mansfield said that according to state statute, the PB only reviews tree cutting along a scenic road if the cutting is intended for roadway improvements including maintenance and repair. Zinicola asked if the newly created access from River Road to 964 Bedford Road would be considered a roadway improvement. Mansfield admitted that this would likely require a scenic road hearing, although he did not recall seeing such an access when he visited the site.

The Board then asked if the boarding of horses is considered a commercial use and therefore requires site plan review. The PA was asked to research this question and then to draft a letter to the abutter, Mr. Booth, regarding the new entrance and possible need for site plan review. Copies should be sent to the Board of Selectmen, the Zoning Board of Appeals, the Building Department and the Department of Public Works.

Discussion of strategy with regard to pending litigation, Valchuis et al. v. Planning Board, Berry Corner Lane, Map 7, Parcel 29 (Executive Session)

Dick Wells of 93 Berry Corner Lane was present. Epstein asked Wells if he had spoken with the Valchuis recently. Wells explained that Valchuis' new attorney is apparently attempting to contact the attorney representing the owners of Berry Corner Lane, but Wells has not heard more than that.

Mansfield stated that he visited Berry Corner Lane today, and the lane appeared to be sanded but not plowed. Wells confirmed this stating that the Town often sands the road without plowing if the snow is not too deep. Wells also

noted that the construction undertaken by Valchuis is complete, but still requires a certificate of completion from the DEP. In the meantime, the hay bales are still in place, and Wells was concerned that they could interfere with snow removal. Mansfield suggested that he bring this concern to the DEP through the Conservation Commission.

Wells then described a newly installed drainage trench along Berry Corner Lane, stating that several vertical PVC cleanout pipes were installed flush with the road and then capped. As they were being installed, he had asked the contractor how these would be able to withstand snowplows. The contractor informed him that the cleanout caps would be surrounded with concrete pads and the plows would simply skim over the top. Approximately two weeks ago, Wells noticed that one of the pads was cracked, presumably from the weight of a car or truck. He therefore questioned the integrity of these pads.

At 8:15 p.m., Epstein moved to go into executive session to discuss the pending litigation, and to return to regular session at approximately 8:30 p.m. Lane seconded the motion. The Board was polled and unanimously agreed to the motion.

At 8:40 p.m., Reid moved to return to executive session. Hara seconded the motion. The Board was polled and the motion carried unanimously.

Review of roadway improvements and guardrail and retaining wall design specifications per Great Brook Estates Definitive Subdivision Plan, 195 Rutland Street, Map 26, Lot 18D

The applicants, Albert Gould and Betsy Goldenberg were present. The following citizens were also in attendance: Brooke Cragan and Virginia Lamere of Rutland Street, Larry Bearfield and Risha Deary of North Road, and Mariellen Perugini of Overlook Drive.

Mansfield reported that on Monday December 3rd, Risha Deary visited his office to ask if the Planning Board had approved the guardrails being installed at Great Brook Estates. Mansfield visited the site, and found galvanized steel guardrails set in place, but not yet cemented. He contacted Gould in order to halt the installation of the guardrails. Gould stated that he had already halted the installation, because he too felt they were inappropriate for Carlisle.

Mansfield then researched the files and found that the plans contain conflicting information regarding guardrails. It was not clear if the guardrail should be set on top of the retaining wall or three feet from the wall. In some cases the rails are installed only six inches from the wall. Also, the plan states that the retaining wall and guardrail are to be designed by a registered professional engineer. Mansfield contacted the Board's engineer, Mark Sleger, who informed him that he had not reviewed a plan for the retaining wall and guardrail. Mansfield also confirmed that Gary Shepard of David Ross and Associates did not prepare such a plan.

Gould stated that Shepard is not qualified to design retaining walls and guardrails. He explained that engineers at Versa-Lok designed the guardrail and that it is an integral part of the retaining wall. Gould noted that he faxed copies of a report from John Kliethermes of Versa-Lok to the PB office and to Sleger. He also left a copy at the DPW office for Gary Davis. Gould explained that the guardrail has been designed for a worst case scenario.

Risha Deary and Larry Bearfield expressed concern over the aesthetics of the guardrail and requested a compromise that would blend with Carlisle's rurality.

Gould stated that he viewed other guardrails in Carlisle as suggested by the PA, but found none that are on a bridge such as this. He had also asked Versa-Lok about the use of wooden guardrails, but they informed him that these could fracture and fail on impact. When Board members suggested additional posts to support the guardrail, Gould said this is not possible on the bridge. He explained that the wetland crossing was designed in order to minimize impact on the wetlands and uses several layers of geo-grid cloth to stabilize the structure. As explained to Gould by Versa-Lok, if this geocloth is penetrated excessively with guardrail posts, the integrity of the structure could be compromised.

Mariellen Perugini said that when her neighbor, Les Bishop, planned on installing a guardrail on Overlook Drive, the abutters were able to convince him to use wooden guardrails, and she feels these are safe enough.

Holzman was familiar with the Versa-Lok company and Mr. Kliethermes, and felt they were very reputable. He advised Gould to encourage Kleithermes to propose a creative solution that would be both safe and aesthetically pleasing. Gould agreed to do so, but noted that during the public hearing, Holzman had informed him of a Versa-Lok retaining wall that had failed. Gould researched this, and found that the wall had failed due to compromises in material and construction. He wanted to be sure that this retaining wall and guardrail do not fail and that Versa-Lok would guarantee this.

Bearfield felt that the brightness of the steel makes the guardrail particularly offensive and suggested that perhaps weathering steel could be used. Gould said that a sample has been prepared with wood facing, but Deary noted that the back of the rail is still bright. Gould said that according to Kliethermes, both sides could be faced with wood and he agreed to look into this and other options.

Mansfield felt that the placement of the guardrail should also be clarified. Epstein advised the PA to contact Sleger and ask him to review this item and report his recommendations to the Board. He also suggested that Sleger contact Kliethermes to discuss guardrail alternatives and to review the pros and cons of various options. Mansfield also suggested that Sleger review the portion of the plans that require fifteen feet of stone wall from the intersection to the guardrail. The PA felt this could be dangerous. Epstein agreed. He also told the public that the PB does its best to address aesthetic issues, but it must be concerned primarily with safety.

Although Abend was not present this evening, he had asked the PA to determine the status of the shoulders on Rutland Street. Gould said that Gary Davis was waiting until the gas line was installed. This was done recently and Gould understands that DPW will do the shoulder work in the spring.

The Board asked Gould to be prepared with alternatives by the next meeting. Discussion was continued to 8:00 p.m. on January 14, 2002.

Zoning Board of Appeals hearing on proposed wireless facility at 662 Bedford Road

The AA reported that the continued hearing would be held on December 13, 2001 in the library at the Carlisle School. Reid said that she would try to attend.

Review of Town's intentions to prepare a Community Development Plan with the funding provided by Executive Order 418

Lane said that he would obtain more information about this grant at the December 13th Magic meeting. He said that he invited Marty Galligan of the Housing Authority also. Selectman Vivian Chaput will attend and bring a plan for Carlisle. Epstein suggested that the Town Administrator should coordinate this grant since funding will be made available for housing and open space. Lane agreed to contact the Town Administrator and to make her aware that the funds must be expended by June 30, 2003.

The Board unanimously adjourned the meeting at 9:55 p.m.

Respectfully submitted,



Anja M. Stam
Administrative Assistant